



Finally, at a time when G20 leaders, seeking to establish “a more stable and fairer international tax system,” have formally endorsed the [OECD Inclusive Framework’s Two-Pillar Solution to Address the Tax Challenges Arising from the Digitalisation of the Economy](#),<sup>4</sup> it seems unnecessarily disruptive for the WTO membership to abandon a foundational quarter-century old agreement regarding the treatment of electronic transmissions.<sup>5</sup> We also note in this regard the recent G7 Digital Trade Principles, which state that “[e]lectronic transmissions – including the transmitted content – should be free of customs duties, in accordance with the WTO Moratorium on Customs Duties on Electronic Transmissions.”<sup>6</sup>

We therefore urge all WTO members to show strong leadership and support of the digital economy by supporting a continuation of the WTO Moratorium on Customs Duties on Electronic Transmissions at MC12.

Sincerely,

1. Africa Cloud Association
2. Africa Information and Communication Technologies Alliance (AfICTA)
3. Alianza del Pacífico
4. Allied for Startups
5. ACT | The App Association
6. Asia Cloud Computing Association
7. Asia Internet Coalition
8. Asia Pacific MSME Trade Coalition (AMTC)
9. Asia Business Trade Association
10. Asociación de Internet MX
11. Asociación Latinoamericana de Exportadores de Servicios (ALES)
12. Associação Brasileira das Empresas de Software (ABES)
13. Association of Competitive Telecom Operators (ACTO) (India)
14. Australasian Performing Rights Association / Australasian Mechanical Copyright Owners Association (APRA AMCOS)
15. Australian Services Roundtable
16. Australian Industry Group
17. Belize Coalition of Service Providers (BCSP)
18. Brazilian National Confederation of Industry
19. BSA | The Software Alliance
20. Business Council of Canada
21. Business NZ
22. Câmara Brasileira da Economia Digital
23. Câmara Colombiana de Comercio Electrónico
24. Canadian Chamber of Commerce
25. Canadian Services Coalition (CSC)
26. Caribbean Network of Services Coalition
27. Center for International Economic Collaboration (CFIEC)
28. Chamber of Digital Industry and Services of National Business Association of Colombia – ANDI
29. China Council for Promotion of Int'l Trade
30. China Semiconductor Industry Association (CSIA)
31. Coalition of Services Industries (CSI)
32. Copyright Overseas Promotion Association (COA) (South Korea)
33. Digital Trade Network
34. Dominican Republic Services Association
35. Ecommerce Forum Africa
36. Emerging Business Factory (Morocco)
37. European Services Forum (ESF)
38. European Semiconductor Industry Association (ESIA)
39. Global Data Alliance
40. Grenada Coalition of Service Industries (GCSI)
41. Hong Kong Coalition of Services Industries

- 42. Indonesia Services Dialogue (ISD)
- 43. Information Technology Industry Council (ITI)
- 44. Interactive Games and Entertainment Association (IGEA) (Australia)
- 45. The International Association of Scholarly, Technical and Medical Publishers (STM)
- 46. International Chamber of Commerce (ICC)
- 47. International Generic and Biosimilar medicines Association (IGBA)
- 48. Japan Business Council in Europe (JBCE)
- 49. Japan Electronics and Information Technology Industries Association (JEITA)
- 50. Japan Information Technology Service Industry Association (JISA)
- 51. Japan Machinery Center for Trade and Investment (JMC)
- 52. Japan Semiconductor Industry Association (JSIA)
- 53. Japan Services Network (JSN)
- 54. Korea Semiconductor Industry Association (KSIA)
- 55. Korean Broadcasters Association
- 56. Korean Film Digital Distribution Association (KFDA)
- 57. Malaysia Semiconductor Industry Association (MSIA)
- 58. Mexican Chamber of Electronics, Telecommunications and Information Technologies (CANIETI)
- 59. Motion Picture Association (MPA)
- 60. Motion Picture Producers Association of Japan
- 61. National Foreign Trade Council (NFTC)
- 62. New Zealand International Business Forum
- 63. Philippine Exporters Confederation (PHILEXPORT)
- 64. Papua New Guinea Chamber of Commerce and Industry
- 65. Saint Lucia Coalition of Services Industries (SLCSI)
- 66. Saint Kitts & Nevis Coalition of Services Industries (SKNCSI)
- 67. Semiconductor & Electronics Industries in the Philippines Foundation, Inc. (SEIPI)
- 68. Semiconductor Industry Association (SIA)
- 69. Screen Producers Australia (SPA)
- 70. SPADA NZ – The Screen Production and Development Association
- 71. Singapore Business Federation
- 72. Singapore Semiconductor Industry Association (SSIA)
- 73. Sociedad de Fomento Fabril (SOFOFA)
- 74. Taiwan Coalition of Services Industries (TWCSI)
- 75. Taiwan Semiconductor Industry Association (TSIA)
- 76. techUK
- 77. TECHNATION Canada
- 78. TheCityUK
- 79. Trinidad and Tobago Coalition of Services Industries
- 80. US-ASEAN Business Council
- 81. US Council for International Business
- 82. US-India Strategic Partnership Forum (USISPF)
- 83. Vietnam E-commerce Association (VECOM)

<sup>1</sup> UNCTAD, *Digital Economy Report* (2021), at: [https://unctad.org/system/files/official-document/der2021\\_en.pdf](https://unctad.org/system/files/official-document/der2021_en.pdf)

<sup>2</sup> OECD, *Electronic Transmissions and International Trade – Shedding New Light on the Moratorium Debate*, TAD/TC/WP(2019)19/FINAL (2019), at: [https://one.oecd.org/document/TAD/TC/WP\(2019\)19/FINAL/en/pdf](https://one.oecd.org/document/TAD/TC/WP(2019)19/FINAL/en/pdf)

<sup>3</sup> ECIPE, *The Economic Losses from Ending the WTO Moratorium on Electronic Transmissions* (2019), at: <https://ecipe.org/publications/moratorium/>

<sup>4</sup> OECD, *Statement on a Two-Pillar Solution to Address the Tax Challenges Arising from the Digitalisation of the Economy*, OECD/G20 Base Erosion and Profit Shifting Project (Oct. 8, 2021), at: <https://www.oecd.org/tax/beps/statement-on-a-two-pillar-solution-to-address-the-tax-challenges-arising-from-the-digitalisation-of-the-economy-october-2021.pdf>

This statement was agreed to 136 countries participating in the OECD/G20 Inclusive Framework. For a full list of participating countries, see <https://www.oecd.org/tax/beps/oecd-g20-inclusive-framework-members-joining-statement-on-two-pillar-solution-to-address-tax-challenges-arising-from-digitalisation-october-2021.pdf>

<sup>5</sup> G20, *G20 Rome Leaders' Declaration* (Oct. 31, 2021), para. 32, at: <https://www.g20.org/wp-content/uploads/2021/10/G20-ROME-LEADERS-DECLARATION.pdf>

<sup>6</sup> G7, *G7 Trade Ministers' Digital Trade Principles* (Oct. 22, 2021), at: <https://www.gov.uk/government/news/g7-trade-ministers-digital-trade-principles>. The statement provides in relevant part as follows: “Electronic transmissions – including the transmitted content – should be free of customs duties, in accordance with the WTO Moratorium on Customs Duties on Electronic Transmissions. We support a permanent prohibition of such duties.”